

## **CITY OF HAYWARD**

### **AGENDA REPORT**

AGENDA DATE 03/26/02

AGENDA ITEM 5

WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** Authorization for the City Manager to Execute Agreements with the Alameda County Transportation Improvement Authority

#### **RECOMMENDATION:**

It is recommended that the City Council approve the attached resolution authorizing the City Manager to execute the Alameda County Transportation Improvement Authority (ACTIA) Master Program and Master Project funding agreements.

#### **BACKGROUND:**

The reauthorization of Measure B in 2000 extended the half-cent transportation sales tax for another 20 years, to the year 2022. For the City of Hayward, this means a significant increase in local streets and roads funds and pedestrian and bicycle funds, as well as in paratransit funding. In addition, Measure B partially funds the proposed Clawiter/Whitsell Interchange on State Route 92.

The Alameda County Transportation Improvement Authority (ACTIA), which will administer the funds, has a stated goal of completing all of the projects included in their 20-year Expenditure Plan in a timely and cost-effective manner. Toward this end, ACTIA will rely on the accurate reporting and accountability for the use of all of the Measure B funds shown in the Expenditure Plan. ACTIA is delegating a significant portion of the program responsibilities to the project sponsors who, in large part, are local agencies, such as the City of Hayward.

Therefore, for projects and programs that will be delivered by a project sponsor other than ACTIA, funding agreements will be executed. These agreements will assign the respective roles and responsibilities for project and program development, delivery, and implementation.

Three types of agreements will be required:

- The Master Program Funding Agreement covers the "pass-through" funds. For the City, the affected funds are the local streets and roads fund and the pass-through bicycle and pedestrian fund. The City expects to receive annual revenues of \$1.2 million for local roads and \$320,000 for bicycle and pedestrian projects. The City's plans for use of these funds are defined in the adopted Capital Improvement Program.
- The Master Project Funding Agreement will be signed by those jurisdictions that have specific capital projects included in the ACTIA 2000 Expenditure Plan. The City has one project - the Clawiter/Whitsell Interchange - and, thus, requires a Master Project Funding Agreement.

- Project Specific Funding Agreement (for the Clawiter/Whitsell Interchange project)

At this time, staff is asking for Council approval to authorize the City Manager to sign the first two agreements. The Project Specific Funding Agreement will be brought back to Council, at a later date, after the project scope and schedule are better defined.

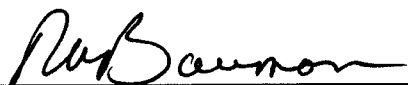
The administration of the Measure B funds includes some different requirements that are covered in the agreements. ACTIA has established a program - Local Business Enterprise (LBE)/Small Local Business Enterprise (SLBE) - to direct as many Measure B dollars as possible to Alameda County based firms. For professional services agreements using Measure B funds, ACTIA's goal is 70 percent LBE, with a goal of 30 percent of those contract funds being SLBE. For construction contracts, the ACTIA LBE goal is 60 percent, with 20 percent of those contract funds being SLBE.

The master agreement will also result in more Measure B reporting requirements for local agencies. If Measure B funds are used on a project, monthly reporting will be required. Moreover, the City will be required to keep separate accounting and reporting records for each type of funding received. Additionally, the City will be required to post Measure B project information on its website and to provide a link to ACTIA's website, with ACTIA's ultimate goal of better public notification on usage of the funds.

Since the collection of the new Measure B funds will begin as of April 1, 2002, staff recommends that Council authorize the City Manager to sign both the Master Program and the Master Project funding agreements, at this time.

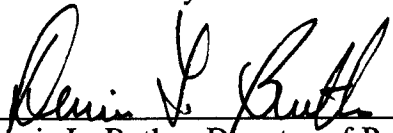
Copies of the Master Program and Master Project Funding Agreements are on file and may be viewed at the City Clerk's office.

Prepared by:



Robert A. Bauman, Deputy Director of Public Works

Recommended by:



Dennis L. Butler, Director of Public Works

Approved by:



Jesús Armas, City Manager

**DRAFT**

DLB 3/12

HAYWARD CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY MANAGER  
TO EXECUTE THE ALAMEDA COUNTY  
TRANSPORTATION IMPROVEMENT AUTHORITY  
(ACTIA) MASTER PROGRAM AND MASTER PROJECT  
FUNDING AGREEMENTS**

WHEREAS, reauthorization of Measure B in 2000 extended the half-cent transportation sales tax for another 20 years to 2022, which provided a significant increase in local streets and roads funds, pedestrian and bicycle funds, paratransit funds, and partially funded the I-880/SR 92 Reliever Route for the City of Hayward; and

WHEREAS, the Alameda County Transportation Improvement Authority (ACTIA) intends to complete all projects in a timely and cost-effective manner by transferring portions of the programs responsibilities to project sponsors such as the City of Hayward who will then provide accurate reporting and accountability of Measure B funds shown in the Expenditure Plan; and

WHEREAS, three types of agreements are required: 1.) The Master Program Funding Agreement (for the "pass-through" funds); 2.) The Master Project Funding Agreement (general policies for project development and implementation); and 3.) The Project Specific Funding Agreement, which will be brought back to Council after the project scope and schedule are better defined.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to execute on behalf of the City of Hayward the Master Program Funding Agreement and Master Project Funding Agreement with Alameda County Transportation Improvement Authority (ACTIA) for implementation of Measure B funds, on file in the Office of the City Clerk, in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2002

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

# DRAFT

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ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward